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9

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 RICHARD S. BONDAR, as Trustee of the Bondar
13 Family Trust Dated 4/1/91, Individually
14 And On Behalf of All Others Similarly Situated,

15 Plaintiff,

16 v.

17 BANK OF AMERICA CORPORATION, BANC
18 OF AMERICA INVESTMENT SERVICES,
19 INC., and BANC OF AMERICA SECURITIES,
LLC,

20 Defendants.
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Case No. CV-08-2599 (JSW)

**NOTICE OF ERRATA REGARDING
DECLARATION OF JONATHAN K. LEVINE
IN SUPPORT OF THE SITRIN GROUP'S
MOTION FOR APPOINTMENT AS LEAD
PLAINTIFF AND APPROVAL OF
SELECTION OF COUNSEL**

Date: October 17, 2008
Time: 9:00 a.m.
Location: Courtroom 2, 17th Floor

1 Lead Plaintiff Movants the Sitrin Group, by and through their attorneys, hereby submit this
2 Notice Of Errata regarding the Declaration Of Jonathan K. Levine In Support Of The Sitrin Group's
3 Motion For Appointment As Lead Plaintiff And Approval Of Selection Of Counsel.

4 **ERRATA**

5 Attached hereto is a true and correct copy of Exhibit C to the Declaration Of Jonathan K. Levine
6 In Support Of The Sitrin Group's Motion For Appointment As Lead Plaintiff And Approval Of
7 Selection Of Counsel. Attachment A to this exhibit was inadvertently omitted from the July 21, 2008
8 filing of the accompanying documents. The Sitrin Group and its counsel apologize to the Court and the
9 parties for any inconvenience this has caused.

10
11 Dated: July 23, 2008

Respectfully submitted,

12
13 **GIRARD GIBBS LLP**

14
15 /s/ Jonathan K. Levine

16 Jonathan K. Levine

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24
25 **Proposed Lead Counsel**

CERTIFICATE OF SERVICE

I, Jonathan K. Levine, hereby certify that on July 23, 2008, I caused the foregoing document to be filed electronically with the United States District Court for the Northern District of California's through the Court's mandated ECF service. Counsel of record are required by the Court to be registered e-filers, and as such are automatically e-served with a copy of the document(s) upon confirmation of e-filing.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 23rd day of July, 2008 at San Francisco, California.

/s/ Jonathan K. Levine

EXHIBIT C

**CERTIFICATION OF PROPOSED LEAD PLAINTIFF
PURSUANT TO THE FEDERAL SECURITIES LAWS**

I, Alan Wofsy declare the following as to the claims asserted, or to be asserted, under the federal securities laws:

1. I am the Chief Executive Officer of Myrtle Street Flats LLC dba Sunrise Properties ("MSF") and Emeric-Goodman Associates LLC ("EGA"). I have full authority to act on behalf of MSF and EGA, including the authority to bring or participate in a lawsuit under the federal securities laws.

2. I have reviewed the complaint against Bank of America, prepared by Girard Gibbs LLP, Stueve Siegel Hanson LLP and Seeger Weiss LLP, whom I designate as my counsel and counsel for MSF and EGA in this action for all purposes. At this time, I adopt the allegations of the complaint.

3. Neither I, MSF nor EGA acquired any auction rate securities from Bank of America at the direction of counsel or in order to participate in any private action under the federal securities laws.

4. I am willing to serve as a lead plaintiff either individually or as part of a group. I understand that a lead plaintiff is a representative party who acts on behalf of other class members in directing the litigation, and whose duties may include testifying at deposition or trial.

5. Neither I, MSF nor EGA will accept any payment for serving as a representative party beyond our pro rata share of any recovery, except reasonable costs and expenses, such as lost wages and travel expenses, directly related to the class representation, as ordered or approved by the Court pursuant to law.


6. Neither I, MSF nor EGA have not sought to serve or served as a representative party for a class in an action under the federal securities laws within the past three years.

7. I understand that this is not a claim form, and that our ability to share in any recovery as a class member is not affected by my decision to serve as a representative party.

8. The purchases and sales of auction rate securities sold to me, MSF and EGA through Bank of America are attached as **Attachment A** to this document:

9. I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of July, 2008



Alan Wofsy

ATTACHMENT A

**ALAN WOFSY'S TRANSACTIONS IN AUCTION RATE
SECURITIES SOLD BY BANK OF AMERICA BETWEEN
MAY 22, 2003 AND FEBRUARY 13, 2008**

Account: Myrtle Street Flats LLC dba Sunrise Properties

Trade Date	Auction Rate Security	Number of Shares	Price Per Share/Unit	Buy or Sell
9/19/2003	Nuveen California Dividend Advantage Municipal Fund Series F	20	\$25,000	Bought
11/10/2004	BlackRock California Municipal Income Trust Series R7	21	\$25,000	Bought
11/10/2004	BlackRock Muniholdings California Insured Fund Series D	21	\$25,000	Bought
11/15/2004	BlackRock California Municipal Auction Rate Preferred Series M7	3	\$25,000	Bought
11/15/2004	Nuveen California Quality Income Municipal Fund Inc. Series M	18	\$25,000	Bought
11/16/2004	Nuveen California Performance Plus Municipal Money Market Preferred Series T	13	\$25,000	Bought
11/16/2004	Nuveen California Select Quality Municipal Fund Inc. Series T	8	\$25,000	Bought
12/21/2004	BlackRock Muniholdings California Insured Fund Series E	4	\$25,000	Bought
12/21/2004	Van Kampen California Value Municipal Income Trust Series B	4	\$25,000	Bought
3/1/2007	Nuveen California Dividend Advantage Municipal Fund Series TH	8	\$25,000	Bought
6/26/2008	BlackRock Muniholdings California Insured Fund Inc. Series E	1	\$25,000	Redeemed

6/26/2008	BlackRock Muniholdings California Insured Fund Inc. Series D	5	\$25,000	Redeemed
6/27/2008	BlackRock California Municipal Income Trust Series R7	5	\$25,000	Redeemed

Account: Alan Wofsy

Trade Date	Auction Rate Security	Number of Shares	Price Per Share/Unit	Buy or Sell
9/19/2003	Nuveen California Dividend Advantage Municipal Fund Series F	4	\$25,000	Bought
11/10/2004	BlackRock California Municipal Income Trust Series R7	10	\$25,000	Bought
11/10/2004	BlackRock Muniholdings California Insured Fund Inc. Series D	10	\$25,000	Bought
11/15/2004	BlackRock California Municipal Auction Rate Preferred Series M7	11	\$25,000	Bought
11/16/2004	Nuveen Insured California Premium Income Fund Series T	11	\$25,000	Bought
3/5/2007	Nuveen California Dividend Advantage Municipal Fund 3 Series M	17	\$25,000	Bought

Account: Emeric-Goodman Associates LLC

Trade Date	Auction Rate Security	Number of Shares	Price Per Share/Unit	Buy or Sell
9/19/2003	Nuveen California Dividend Advantage Municipal Fund Series F	2	\$25,000	Bought
11/22/2004	Nuveen California Dividend Advantage Municipal Fund 3 Series M	4	\$25,000	Bought
11/22/2004	PIMCO California Municipal Income Fund Series A	4	\$25,000	Bought